

**Senate Study Bill 3240 - Introduced**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED GOVERNOR'S BUDGET  
BILL)

**A BILL FOR**

1 An Act relating to and making appropriations involving state  
2 government, by providing for agriculture, natural resources,  
3 and environmental protection.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

GENERAL APPROPRIATIONS

Section 1. GENERAL FUND — DEPARTMENT.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulation, and programs; for salaries, support, maintenance, and miscellaneous purposes; including full-time equivalent positions:  
..... \$ 16,872,701

2. The department shall submit a report each quarter of the fiscal year to the legislative services agency, the department of management, the members of the joint appropriations subcommittee on agriculture and natural resources, and the co-chairpersons and ranking members of the senate and house committees on appropriations. The report shall describe in detail the expenditure of moneys appropriated in this section to support the department's administration, regulation, and programs.

DESIGNATED APPROPRIATIONS — ANIMAL HUSBANDRY

Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS — HORSE AND DOG RACING. There is appropriated from the moneys available under section 99D.13 to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department's administration and enforcement of horse and dog racing law pursuant to section 99D.22, including for salaries, support, maintenance, and miscellaneous purposes:

1 ..... \$ 305,516

2 DESIGNATED APPROPRIATIONS — MOTOR FUEL

3 Sec. 3. RENEWABLE FUEL INFRASTRUCUTRE FUND — MOTOR

4 FUEL INSPECTION. There is appropriated from the renewable  
5 fuel infrastructure fund created in section 15G.205 to the  
6 department of agriculture and land stewardship for the fiscal  
7 year beginning July 1, 2010, and ending June 30, 2011, the  
8 following amount, or so much thereof as is necessary, to be  
9 used for the purposes designated:

10 For purposes of the inspection of motor fuel, including  
11 salaries, support, maintenance, and miscellaneous purposes:

12 ..... \$ 300,000

13 The department shall establish and administer programs  
14 for the auditing of motor fuel including biofuel processing  
15 and production plants, for screening and testing motor fuel,  
16 including renewable fuel, and for the inspection of motor fuel  
17 sold by dealers including retail dealers who sell and dispense  
18 motor fuel from motor fuel pumps.

19 DIVISION II

20 DEPARTMENT OF NATURAL RESOURCES

21 GENERAL APPROPRIATIONS

22 Sec. 4. GENERAL FUND — DEPARTMENT. There is appropriated  
23 from the general fund of the state to the department of natural  
24 resources for the fiscal year beginning July 1, 2010, and  
25 ending June 30, 2011, the following amount, or so much thereof  
26 as is necessary, to be used for the purposes designated:

27 1. For purposes of supporting the department, including its  
28 divisions, for administration, regulation, and programs; for  
29 salaries, support, maintenance, and miscellaneous purposes;  
30 including full-time equivalent positions:

31 ..... \$ 15,968,410

32 2. The department shall submit a report each quarter of the  
33 fiscal year to the legislative services agency, the department  
34 of management, the members of the joint appropriations  
35 subcommittee on agriculture and natural resources, and the

1 co-chairpersons and ranking members of the senate and house  
2 committees on appropriations. The report shall describe in  
3 detail the expenditure of moneys appropriated under this  
4 section to support the department's administration, regulation,  
5 and programs.

6 Sec. 5. STATE FISH AND GAME PROTECTION FUND — DIVISION OF  
7 FISH AND WILDLIFE.

8 1. a. There is appropriated from the state fish and game  
9 protection fund to the department of natural resources for the  
10 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
11 the following amount, or so much thereof as is necessary, to be  
12 used for the purposes designated:

13 For purposes of supporting the division of fish and  
14 wildlife, including for administration, regulation, and  
15 programs; and for salaries, support, maintenance, equipment,  
16 and miscellaneous purposes:

17 ..... \$ 38,793,154

18 b. Notwithstanding section 455A.10, the department may use  
19 the unappropriated balance remaining in the state fish and game  
20 protection fund to provide for the funding of health and life  
21 insurance premium payments from unused sick leave balances of  
22 conservation peace officers employed in a protection occupation  
23 who retire, pursuant to section 97B.49B.

24 2. The department shall not expend more moneys from the  
25 state fish and game protection fund than provided in this  
26 section, unless the expenditure derives from contributions made  
27 by a private entity, or a grant or moneys received from the  
28 federal government, and is approved by the natural resource  
29 commission. The department of natural resources shall promptly  
30 notify the legislative services agency and the chairpersons and  
31 ranking members of the joint appropriations subcommittee on  
32 agriculture and natural resources concerning the commission's  
33 approval.

34 Sec. 6. GROUNDWATER PROTECTION FUND — WATER QUALITY. There  
35 is appropriated from the groundwater protection fund created

1 in section 455E.11 to the department of natural resources for  
2 the fiscal year beginning July 1, 2010, and ending June 30,  
3 2011, from those moneys which are not allocated pursuant to  
4 that section, the following amount, or so much thereof as is  
5 necessary, to be used for the purposes designated:

6 For purposes of supporting the department's protection  
7 of the state's groundwater, including for administration,  
8 regulation, and programs, and for salaries, support,  
9 maintenance, equipment, and miscellaneous purposes:

10 ..... \$ 3,455,832

11 DESIGNATED APPROPRIATIONS — MISCELLANEOUS

12 Sec. 7. SPECIAL SNOWMOBILE FUND — SNOWMOBILE

13 PROGRAM. There is appropriated from the special snowmobile  
14 fund created under section 321G.7 to the department of natural  
15 resources for the fiscal year beginning July 1, 2010, and  
16 ending June 30, 2011, the following amount, or so much thereof  
17 as is necessary, to be used for the purpose designated:

18 For purposes of administering and enforcing the state  
19 snowmobile program:

20 ..... \$ 100,000

21 Sec. 8. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE TANK

22 SECTION EXPENSES. There is appropriated from the unassigned  
23 revenue fund administered by the Iowa comprehensive underground  
24 storage tank fund board to the department of natural resources  
25 for the fiscal year beginning July 1, 2010, and ending June 30,  
26 2011, the following amount, or so much thereof as is necessary,  
27 to be used for the purpose designated:

28 For purposes of paying for administration expenses of the  
29 department's underground storage tank section:

30 ..... \$ 200,000

31 Sec. 9. STORM WATER DISCHARGE PERMIT FEES — SUPPORT FOR

32 SPECIAL PURPOSES. Notwithstanding any contrary provision of  
33 state law, for the fiscal year beginning July 1, 2010, and  
34 ending June 30, 2011, the department of natural resources may  
35 use additional moneys available to the department collected

1 from storm water discharge permit fees as provided in section  
2 455B.103A or 455B.197 for the staffing of the following  
3 additional full-time equivalent positions for the purposes  
4 designated:

5 1. For purposes of reducing the department's floodplain  
6 permit backlog:

7 ..... FTEs 2.00

8 2. For purposes of implementing the federal total maximum  
9 daily load program:

10 ..... FTEs 2.00

11 DIVISION III

12 ENVIRONMENT FIRST FUND — GENERAL APPROPRIATIONS

13 Sec. 10. DEPARTMENT OF AGRICULTURE AND LAND

14 STEWARDSHIP. There is appropriated from the environment first  
15 fund created in section 8.57A to the department of agriculture  
16 and land stewardship for the fiscal year beginning July 1,  
17 2010, and ending June 30, 2011, the following amounts, or so  
18 much thereof as is necessary, to be used for the purposes  
19 designated:

20 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

21 a. For the conservation reserve enhancement program to  
22 restore and construct wetlands for the purposes of intercepting  
23 tile line runoff, reducing nutrient loss, improving water  
24 quality, and enhancing agricultural production practices:

25 ..... \$ 1,500,000

26 b. Not more than 10 percent of the moneys appropriated  
27 in paragraph "a" may be used for costs of administration and  
28 implementation of soil and water conservation practices.

29 2. WATERSHED PROTECTION

30 a. For continuation of a program that provides  
31 multiobjective resource protections for flood control, water  
32 quality, erosion control, and natural resource conservation:

33 ..... \$ 1,500,000

34 b. Not more than 10 percent of the moneys appropriated  
35 in paragraph "a" may be used for costs of administration and

1 implementation of soil and water conservation practices.

2 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

3 a. For continuation of a statewide voluntary farm  
4 management demonstration program to demonstrate the  
5 effectiveness and adaptability of emerging practices in  
6 agronomy that protect water resources and provide other  
7 environmental benefits:

8 ..... \$ 750,000

9 b. Not more than 10 percent of the moneys appropriated  
10 in paragraph "a" may be used for costs of administration and  
11 implementation of soil and water conservation practices.

12 c. Of the amount appropriated in paragraph "a", \$300,000  
13 shall be allocated to an organization representing soybean  
14 growers to provide for an agriculture and environment  
15 performance program in order to carry out the purposes of this  
16 subsection as specified in paragraph "a".

17 4. AGRICULTURE DRAINAGE WELL WATER QUALITY ASSISTANCE FUND

18 a. For deposit in the agricultural drainage well water  
19 quality assistance fund created in section 460.303 to be used  
20 for purposes of supporting the agricultural drainage well water  
21 quality assistance program as provided in section 460.304:

22 ..... \$ 1,000,000

23 b. Not more than 10 percent of the moneys appropriated  
24 in paragraph "a" may be used for costs of administration and  
25 implementation of soil and water conservation practices.

26 5. SOIL AND WATER CONSERVATION PRACTICES

27 a. For use by the soil conservation division, to provide  
28 financial assistance for the establishment of permanent soil  
29 and water conservation practices:

30 ..... \$ 7,000,000

31 b. Not more than 5 percent of the moneys appropriated  
32 in paragraph "a" may be allocated for cost sharing to abate  
33 complaints filed under section 161A.47.

34 c. Of the moneys appropriated in paragraph "a", 5 percent  
35 shall be allocated for financial incentives to establish

1 practices to protect watersheds above publicly owned lakes of  
2 the state from soil erosion and sediment as provided in section  
3 161A.73.

4 d. Not more than 30 percent of a soil and water conservation  
5 district's allocation of moneys as financial incentives may be  
6 provided for the purpose of establishing management practices  
7 to control soil erosion on land that is row cropped, including  
8 but not limited to no-till planting, ridge-till planting,  
9 contouring, and contour strip-cropping as provided in section  
10 161A.73.

11 e. The state soil conservation committee created in section  
12 161A.4 may allocate moneys appropriated in paragraph "a"  
13 to conduct research and demonstration projects to promote  
14 conservation tillage and nonpoint source pollution control  
15 practices.

16 f. The allocation of moneys as financial incentives as  
17 provided in section 161A.73 may be used in combination with  
18 moneys allocated by the department of natural resources.

19 g. Not more than 15 percent of the moneys appropriated  
20 in paragraph "a" may be used for costs of administration and  
21 implementation of soil and water conservation practices.

22 6. CONSERVATION RESERVE PROGRAM (CRP)

23 a. To encourage and assist farmers in enrolling in and the  
24 implementation of the federal conservation program and to work  
25 with them to enhance their revegetation efforts to improve  
26 water quality and habitat:

27 ..... \$ 1,221,600

28 b. Not more than 10 percent of the moneys appropriated  
29 in paragraph "a" may be used for costs of administration and  
30 implementation of soil and water conservation practices.

31 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

32 a. For deposit in the loess hills development and  
33 conservation fund created in section 161D.2:

34 ..... \$ 500,000

35 b. (1) Of the amount appropriated in paragraph "a",

1 \$300,000 shall be allocated to the fund's hungry canyons  
2 account.

3 (2) Not more than 10 percent of the moneys allocated to the  
4 hungry canyons account as provided in subparagraph (1) may be  
5 used for administrative costs.

6 c. (1) Of the amount appropriated in paragraph "a",  
7 \$200,000 shall be allocated to the fund's loess hills alliance  
8 account.

9 (2) Not more than 10 percent of the moneys allocated to the  
10 loess hills alliance account as provided in subparagraph (1)  
11 may be used for administrative costs.

12 8. SOUTHERN IOWA DEVELOPMENT AND CONSERVATION FUND

13 a. For deposit in the southern Iowa development and  
14 conservation fund created in section 161D.12:

15 ..... \$ 250,000

16 b. Not more than 5 percent of the moneys appropriated in  
17 paragraph "a" may be used for administrative costs.

18 Sec. 11. DEPARTMENT OF NATURAL RESOURCES. There is  
19 appropriated from the environment first fund created in section  
20 8.57A to the department of natural resources for the fiscal  
21 year beginning July 1, 2010, and ending June 30, 2011, the  
22 following amounts, or so much thereof as is necessary, to be  
23 used for the purposes designated:

24 1. KEEPERS OF THE LAND

25 For statewide coordination of volunteer efforts under the  
26 water quality and keepers of the land programs:

27 ..... \$ 100,000

28 2. STATE PARKS MAINTENANCE AND OPERATIONS

29 a. For regular maintenance of state parks and staff time  
30 associated with these activities:

31 ..... \$ 4,000,000

32 b. Of the amount appropriated in paragraph "a", the  
33 following amount, or so much thereof as is necessary, shall be  
34 allocated to the Honey creek premier destination park authority  
35 created in section 463C.4 for the fiscal year beginning July 1,

1 2010, and ending June 30, 2011, for financing the Honey creek  
2 premier destination park bond program:  
3 ..... \$ 1,500,000

4 (1) The authority may deposit the moneys in a bond reserve  
5 fund provided in section 463C.13.

6 (2) The authority shall use the moneys to pay outstanding  
7 bonds and to satisfy outstanding obligations of the authority,  
8 as necessary to fulfill any covenants or provisions with  
9 bondholders or third parties made in accordance with chapter  
10 463C.

11 3. GEOGRAPHIC INFORMATION SYSTEM (GIS)

12 To provide local watershed managers with geographic  
13 information system data for their use in developing,  
14 monitoring, and displaying results of their watershed work:  
15 ..... \$ 195,000

16 4. WATER QUALITY MONITORING

17 For continuing the establishment and operation of water  
18 quality monitoring stations:  
19 ..... \$ 2,955,000

20 5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT

21 For deposit in the public water supply system account of the  
22 water quality protection fund created in section 455B.183A:  
23 ..... \$ 500,000

24 6. REGULATION OF ANIMAL FEEDING OPERATIONS

25 For the regulation of animal feeding operations, including  
26 as provided for in chapters 459 and 459A:  
27 ..... \$ 608,400

28 7. AMBIENT AIR QUALITY

29 For the abatement, control, and prevention of ambient  
30 air pollution in this state, including measures as necessary  
31 to assure attainment and maintenance of ambient air quality  
32 standards from particulate matter:  
33 ..... \$ 425,000

34 8. WATER QUANTITY REGULATION

35 For regulating water quantity from surface and subsurface

1 sources by providing for the allocation and use of water  
2 resources, the protection and management of water resources,  
3 and the preclusion of conflicts among users of water resources,  
4 including as provided in chapter 455B, division III, part 4:  
5 ..... \$ 495,000

6 Sec. 12. REVERSION.

7 1. Except as provided in subsection 2, and notwithstanding  
8 section 8.33, moneys appropriated for the fiscal year beginning  
9 July 1, 2010, in this division of this Act that remain  
10 unencumbered or unobligated at the close of the fiscal year  
11 shall not revert but shall remain available for the purposes  
12 designated until the close of the fiscal year beginning July 1,  
13 2011, or until the purpose for which the appropriation was made  
14 is completed, whichever is earlier.

15 2. Notwithstanding section 8.33, moneys appropriated in  
16 this division of this Act to the department of agriculture  
17 and land stewardship to provide financial assistance for  
18 the establishment of permanent soil and water conservation  
19 practices that remain unencumbered or unobligated at the close  
20 of the fiscal year shall not revert but shall remain available  
21 for expenditure for the purposes designated until the close of  
22 the fiscal year beginning July 1, 2013.

23 DIVISION IV

24 ENVIRONMENT FIRST FUND — RESOURCES ENHANCEMENT  
25 AND PROTECTION (REAP)

26 Sec. 13. IOWA RESOURCES ENHANCEMENT AND PROTECTION  
27 FUND. Notwithstanding the amount of the standing appropriation  
28 from the general fund of the state to the Iowa resources  
29 enhancement and protection fund as provided in section  
30 455A.18, there is appropriated from the environment first fund  
31 created in section 8.57A to the Iowa resources enhancement  
32 and protection fund, in lieu of the appropriation made in  
33 section 455A.18, for the fiscal year beginning July 1, 2010,  
34 and ending June 30, 2011, the following amount, to be allocated  
35 as provided in section 455A.19:

1 ..... \$ 12,000,000

2 EXPLANATION

3 GENERAL. This bill relates to agriculture and natural  
4 resources by making appropriations for the 2010-2011 fiscal  
5 year to support related entities, including the department of  
6 agriculture and land stewardship and the department of natural  
7 resources.

8 The bill appropriates moneys to the department of  
9 agriculture and land stewardship and the department of natural  
10 resources. The appropriations are made to support those  
11 departments for administration, regulation, and programs. The  
12 bill requires the departments to submit quarterly reports to  
13 the general assembly and department of management regarding the  
14 expenditure of appropriated moneys. The bill also provides  
15 moneys to support specific programs or projects administered by  
16 those departments. The bill appropriates moneys from a number  
17 of sources, including the general fund of the state, the state  
18 fish and game protection fund, and the groundwater protection  
19 fund. The bill is organized into divisions.

20 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. For the  
21 department of agriculture and land stewardship, moneys are  
22 appropriated in order to support its divisions.

23 The bill appropriates moneys from the general fund to  
24 support designated programs, including horse and dog racing,  
25 and motor fuel inspection.

26 DEPARTMENT OF NATURAL RESOURCES. For the department of  
27 natural resources, moneys are appropriated from the general  
28 fund in order to support its divisions.

29 The bill makes appropriations from other funds. The bill  
30 appropriates moneys to the department of natural resources from  
31 the state fish and game protection fund to support programs  
32 related to fish and wildlife. The bill appropriates moneys  
33 from the groundwater protection fund to support groundwater  
34 quality. The bill appropriates moneys from the snowmobile fund  
35 to the department for snowmobile programs.

1 The bill includes miscellaneous provisions. An  
2 appropriation is made from the unassigned revenue fund  
3 administered by the Iowa comprehensive underground storage  
4 tank fund board to the department of natural resources for  
5 administration and expenses of the underground storage tank  
6 section.

7 The bill provides that the department of natural  
8 resources may use additional funds for staffing to reduce the  
9 department's floodplain permit backlog and implementing the  
10 federal maximum daily load program.

11 ENVIRONMENT FIRST FUND — GENERAL APPROPRIATIONS. The  
12 bill appropriates funding from the environment first fund to  
13 the department of agriculture and land stewardship and the  
14 department of natural resources to support a number of programs  
15 and projects. The bill appropriates moneys for state park  
16 maintenance and operations, including moneys allocated to the  
17 Honey creek premier destination park authority to support  
18 its bonding program. Nonreversion clauses authorize the  
19 appropriations made in this division to be carried forward into  
20 the succeeding fiscal year and allows the appropriation for  
21 permanent soil and water conservation practices to be available  
22 through fiscal year 2013-2014.

23 ENVIRONMENT FIRST FUND — RESOURCE ENHANCEMENT AND  
24 PROTECTION. The bill appropriates moneys from the environment  
25 first fund to the resources enhancement and protection fund  
26 in lieu of the \$20 million appropriated by statute from the  
27 general fund of the state.